

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76013 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- NARAINPUR District- Bhojpur

ETAHAR RAJJA @ ATAHAR RAJA Son of Late Ansar @ Ansar Hussain
Resident of Village - Dhorbari, P.S.- Narayanpur, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 354, 504/34 of the Indian Penal Code.

Informant has alleged in his written complaint that on 26.07.2019 at about 4:00 pm due to dispute among children while playing and which was pacified, however, FIR named accused (i) Etahar Rajja (petitioner) (ii) Ahmad and (iii) Seema Khatun wife of late Anshar came with lathi and sword and started assaulting her mother Dhanmati Devi and daughter Rinki Devi as a result of which both sustained head injuries and when he rushed to save them all the three assaulted him also. There is further allegation of outraging modesty as well as snatching Rs. 16,000/- and golden chain.



It has been submitted on behalf of the petitioner that there is case and counter case and for the same incident FIR was instituted by the side of petitioner's against the side of informant also. It has been further submitted that injuries sustained by Rinki Devi and Dhanmati Devi are simple in nature as per injury report enclosed as Annexure-3. Injuries have been sustained by both sides which are simple in nature. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Narayanpur P.S. Case No. 59 of 2019**, subject to the conditions as laid down under Section 438(2) of Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond



shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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